

**IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)**

B E T W E E N:

KEATLEY SURVEYING LTD.

APPELLANT/
RESPONDENT ON CROSS-APPEAL
(Appellant/Respondent by way of cross-appeal)

AND:

TERANET INC.

RESPONDENT/
APPELLANT ON CROSS-APPEAL
(Respondent/Appellant by way of cross-appeal)

AND:

**THE ATTORNEY GENERAL OF CANADA, THE ATTORNEY GENERAL OF
ONTARIO, THE ATTORNEY GENERAL OF BRITISH COLUMBIA, THE ATTORNEY
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PROPERTY POLICY / ARIEL KATZ, THE CANADIAN ASSOCIATION
OF LAW LIBRARIES, and THE CANADIAN LEGAL EDUCATION INSTITUTE /
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INTERVENERS

AND:

CANADIAN STANDARDS ASSOCIATION

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PART I – OVERVIEW AND STATEMENT OF FACTS

A. Overview

1. Canadian Standards Association (“**CSA**”) has intervened in this appeal to ensure that this Court appreciates the wider implications of any decision that could undermine private copyright in works that may be referenced by governments.
2. In particular, the Court should not undermine private copyrights that remain owned by domestic or international non-government bodies when their works are incorporated by reference (“**IBR**”) by our governments in regulations.
3. IBR is **not** an issue before this Court, but was recently addressed by the Federal Court of Appeal in December 2018 in *P.S. Knight Co. Ltd. v Canadian Standards Association*, 2018 FCA 222 (“***Knight***”), confirming CSA’s ownership of copyright because the CSA work in issue was neither prepared nor published by or under any Crown control or direction within the meaning of section 12 of the *Copyright Act*, R.S.C. 1985, c. C-42 (the “*Act*”).
4. This Court should address the interpretation of section 12 of the *Act* as a matter of statutory interpretation, consistent with the principles of statutory interpretation and Canadian copyright law already developed by this Court, applied to the specific facts of this appeal.

5. CSA does not take a position on the outcome of this appeal or the application of the *Act* to the specific facts in this case, but urges this Court to confine its consideration of section 12 in this appeal to the specific land survey works and accompanying provincial legislative scheme that are at issue, and not to opine on the circumstances of *Knight* or IBR.

B. Statement of Facts

6. The following findings of the Federal Court of Appeal in *Knight* highlight the differences between the two cases, and illustrate why the Court should not extend its consideration of section 12 beyond the specific factual matrix of this appeal.

Unique Findings of Fact in the Knight Case

7. CSA is a private, not-for-profit corporation that develops, tests and certifies over 3,000 voluntary standards. One of which, the CSA's Canadian Electrical Code (the "Code"), sets out safety standards for installation and maintenance of electrical equipment in Canada.¹
8. The Code was developed and issued by CSA, a private corporation. Neither the Crown nor any government department sets any guidelines about the form the Code is to take.²

¹ *Knight* at para 5.

² *Knight* at paras 6, 29 and 106.

9. CSA has published and updated versions of the Code since 1927. CSA sells copies of the Code and uses the income from these sales to finance the development of the Code and other voluntary standards.³
10. The 2015 version of the Code states that it is a “voluntary code for adoption and enforcement by regulatory authorities.” It has been adopted by the federal, provincial and territorial governments and incorporated by reference into regulations regarding electrical safety.⁴ Federally, incorporation by reference is a drafting technique authorised under the *Statutory Instruments Act*, R.S.C. 1985, c. S-22.
11. The collaborative process for developing the Code, which is then extended by IBR into regulations, is an example of cooperative federalism at its best.⁵
12. CSA’s ability to continue to generate revenue in this way assists the continued existence of common national standards in areas where consistency is important, as is the case with electrical maintenance and installation.⁶
13. The Code cannot be said to be published by or under the direction or control of the Crown or a government department.⁷

³ *Knight* at paras 6 and 29.

⁴ *Knight* at para 9.

⁵ *Knight* at para 90.

⁶ *Knight* at para 90.

⁷ *Knight* at para 108.

14. Neither the federal Crown nor any provincial Crown has asserted a right or privilege over the Code. The Minister of Industry has explained in Parliament the federal government's position that CSA is not a regulatory entity and that standards development organizations such as CSA maintain the copyright in their voluntary standards that are referenced in regulations.⁸

PART II – OVERVIEW OF QUESTION IN ISSUE

15. The primary issue for this Court to decide is whether, as a result of the actions of persons carried out pursuant to the *Electronic Land Registration Services Act*, 2010, S.O., c. 1, Sched. 6 (“*ELRS*”) the Crown has directed or controlled acts of preparation or publication, within the meaning of sections 2.2 and 12 of the *Act*, and thereby acquired copyright in the surveys.
16. CSA's position is that copyright is a creature of statute. The Court's determination of the above issue requires it to apply a proper statutory interpretation to the *Act*, and analyze the particular facts in this appeal to determine if the specific requirements of the *Act* are met.
17. CSA does not take a position on the outcome of this appeal, but urges this court to confine its consideration of section 12 of the *Act* to the circumstances of this case.

⁸ *Knight* at paras 21 and 112.

PART III – STATEMENT OF ARGUMENT

Copyright Law in Canada is Purely Statutory

18. Copyright in Canada is a creature of statute and the rights and remedies provided by the *Act* are exhaustive.⁹ As this Court has often repeated, since at least as early as its 1979 decision in *Compo Co. Ltd. v. Blue Crest Music*¹⁰:

... copyright law ... is statutory law ... Copyright legislation simply creates rights and obligations upon the terms and in the circumstances set out in the statute ... The legislation speaks for itself and the actions of the appellant must be measured according to the terms of the statute.

19. The Court in this appeal ought to interpret section 12 of the *Act* in the same manner; namely, as a matter of statutory interpretation. The Court should apply the modern approach to statutory interpretation whereby “the words of an Act are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament.”¹¹

⁹ *CCH Canadian Ltd. v. Law Society of Upper Canada*, 2004 SCC 13 [CCH]; *Théberge v. Galerie d’Art du Petit Champlain inc.*, 2002 SCC 34; *Alberta (Education) v. Canadian Copyright Licensing Agency (Access Copyright)*, 2012 SCC 37; *Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada*, 2012 SCC 34; *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, 2012 SCC 35; *Society of Composers, Authors and Music Publishers of Canada v. Bell Canada*, 2012 SCC 36 [Bell]; *Re:Sound v. Motion Picture Theatre Associations of Canada*, 2012 SCC 38; *Cinar Corporation v. Robinson*, 2013 SCC 73; *Compo Co. Ltd. v. Blue Crest Music et al.*, [1980] 1 S.C.R. 357 [Compo].

¹⁰ *Compo* at p 372-373.

¹¹ *CCH* at para 9; Elmer Driedger, *Construction of Statutes*, 2d ed. (Toronto: Butterworths, 1983) at p. 87.

20. In interpreting the *Act*, the Court should maintain balance between the twin purposes of copyright, being the obtaining of a just reward for creators while promoting the public interest in the encouragement and dissemination of works of the arts and intellect.¹²
21. Balance would not be achieved by ignoring the *Act*'s requirements to award copyright for **every** original work. Nor by interpreting section 12 in a manner capable of leading to results inconsistent with the rights of private copyright owners under the *Act*.
22. Rather, the Court should seek to balance the just reward of copyright against the existing sections of the *Act* that already provide users (including the Crown) with rights to access and use protected works.
23. The Court should not import American copyright doctrines and concepts into this case. This Court has frequently cautioned “against the automatic portability of American copyright concepts into the Canadian arena, given the ‘fundamental differences’ in the respective legislative schemes.”¹³ For example, the American *Copyright Act* specifically provides that there is no copyright protection for any work of the United States Government.¹⁴ In contrast, this is not stated in Canada’s *Act*, which provides that copyright subsists in “every” original work.¹⁵

¹² *CCH* at paras 9-10.

¹³ *Bell* at para 25.

¹⁴ 17 U.S.C. § 101, 105 (2012).

¹⁵ *Act* at s. 2, 5, and 6 “every original literary, dramatic, musical and artistic work”.

24. Even works that directly concern the law do not simply fall into the public domain in Canada. For example, this Court determined in *CCH* that privately authored headnotes, case summaries (often containing the same language used in the judicial decision) and law reports compiling court decisions are protected by private copyright.¹⁶
25. Section 89 of the *Act* states that a person can only be entitled to copyright in accordance with the *Act*.¹⁷ Assessment of copyright ownership must begin with determination of the first owner.
26. Section 13(1) of the *Act* provides the starting point that: “Subject to this Act, the author of a work shall be the first owner of the copyright therein.” Section 13(3) of the *Act* provides that when a work is created in the course of a contract of employment, the first owner of its copyright is the employer, not the author. However, the parties may agree that first copyright remains with the author.¹⁸
27. Anyone can obtain an assignment from the copyright owner, including the Crown, but they must comply with section 13(4) of the *Act*’s writing and signature requirements.

¹⁶ *CCH* at paras 29-36. This Court’s reference to copyright not covering unedited text of judicial decisions was a reference to the Plaintiff publishers not owning copyright in such works.

¹⁷ Or another Act of Parliament.

¹⁸ Similarly, section 12 of the *Act* provides that when a work is prepared by or under the direction or control of the Crown, copyright belongs to the Crown, not the author. But again, the parties may agree that copyright remains with the author.

28. Section 12 of the *Act* provides that copyright may come to belong to the Crown if a work is published by or under the direction or control of the Crown.
29. CSA's position is that when section 12 is understood against its historical background, it was not intended to apply to works already made and published by private authors and copyright owners. However, and in any event, pursuant to section 2.2 of the *Act*, the Crown could never acquire copyright in a work under section 12 absent obtaining consent from the correct person, namely the copyright owner (which may not be the work's author).
30. Absent such consent, no act of publication within the meaning of section 12 of the *Act* takes place, other than for consideration of infringement.
31. Section 12 of the *Act* should not be construed in an overly broad manner to apply in circumstances not historically intended, or that leads to results inconsistent with the rights of private copyright owners under the *Act*.
32. In *Keatley*, the Court of Appeal for Ontario construed section 12 of the *Act* and considered whether its requirements for Crown copyright by survey publication were met by the parties' activities carried out pursuant to the *ELRS*. In doing so, the Court of Appeal applied the *Act*, the *ELRS* and the facts of that case.¹⁹

¹⁹ *Keatley Surveying Ltd. v Teranet Inc.*, 2017 ONCA 748.

33. In relation to incorporation of works by reference into regulations, different parties have conducted themselves for a long time pursuant to different legislative regimes, in a manner that has resulted in national and international cooperation through non-government and other private entities to ensure safe and reliable goods and services for the public. Such circumstances were before the Federal Court of Appeal in *Knight*, which confirmed that private copyright remained privately owned in any referenced standards.
34. IBR and its particular facts and regimes are not before the Court on this appeal.

PART IV – SUBMISSION ON COSTS

35. CSA does not seek costs and asks that no costs be awarded against it beyond those prescribed by Rule 59(1)(a).

PART V – ORDER SOUGHT

36. CSA requests permission to present oral argument at the hearing of the appeal.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Dated at the City of Toronto, Province of Ontario, this 21st day of December, 2018.


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<u>PART VI – TABLE OF AUTHORITIES & LEGISLATION</u>	
Case Law:	Paragraph References (to Memorandum)
<i>Alberta (Education) v. Canadian Copyright Licensing Agency (Access Copyright)</i> , 2012 SCC 37	18
<i>CCH Canadian Ltd. v. Law Society of Upper Canada</i> , 2004 SCC 13	18,19,20,24
<i>Cinar Corporation v. Robinson</i> , 2013 SCC 73	18
<i>Compo Co. Ltd. v. Blue Crest Music et al.</i> , [1980] 1 S.C.R. 357	18
<i>Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada</i> , 2012 SCC 34	18
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<i>PS. Knight Co. Ltd. v Canadian Standards Association</i> , 2018 FCA 222	3,5,6,7,8,9,10,11, 12, 13, 14,33
<i>Re:Sound v. Motion Picture Theatre Associations of Canada</i> , 2012 SCC 38	18
<i>Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada</i> , 2012 SCC 35	18
<i>Society of Composers, Authors and Music Publishers of Canada v. Bell Canada</i> , 2012 SCC 36	18,23
<i>Théberge v. Galerie d'Art du Petit Champlain inc.</i> , [2002] 2 S.C.R. 336	18
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Elmer Driedger, <i>Construction of Statutes</i> , 2d ed (Toronto: Butterworths, 1983), at p. 87	19
Legislation:	
<i>Copyright Act</i> , R.S.C. 1985, c. C-42, ss. 2, 2.2, 5, 6 , and 12, 13(1), 13(3), 13(4) , and 89	3,4,5,15,16,17,19, 20,21,22,23,25,26 27,28,29,30,31,32

<u>PART VI – TABLE OF AUTHORITIES & LEGISLATION</u>	
Case Law:	Paragraph References (to Memorandum)
<p><i>Copyright Act</i>, 17 U.S.C. § 105 (2012)</p> <p>§101. Definitions</p> <p>Except as otherwise provided in this title, as used in this title, the following terms and their variant forms mean the following:</p> <p>[...]</p> <p>A "work of the United States Government" is a work prepared by an officer or employee of the United States Government as part of that person's official duties.</p> <p>§105. Subject matter of copyright: United States Government works</p> <p>Copyright protection under this title is not available for any work of the United States Government, but the United States Government is not precluded from receiving and holding copyrights transferred to it by assignment, bequest, or otherwise.</p>	23
<p><i>Electronic Land Registration Services Act</i>, 2010, S.O. c. 1, Sched. 6</p>	15,32
<p><i>Statutory Instruments Act</i>, R.S.C., 1985, c. S-22</p>	10